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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application of: DONALD R. RICCI

Application No.: 09/557,007

Group Art Unit: 3763

Filed: April 20, 2000

Examiner: LoAn H. Thanh

For: STENT DELIVERY SYSTEM AND
METHOD OF USE

December 16, 2004

MAIL STOP AFTER FINAL
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 25, 2004 of the Primary Examiner finally rejecting Claims 1-3, 9-11, 16-18, 24-26, and 31-333.


The items checked below are appropriate.

1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$510.00 extension fee under 37 C.F.R. § 1.17, is being filed concurrently herewith.
2. ☐ A Petition for an additional two-month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. § 1.17, is being filed concurrently herewith.
3. ☐ A Petition for a one-month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. § 1.17, was filed on

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4. ☐ Fee \$330.00
- ☒ Fee \$250.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
- ☐ Enclosed
- ☐ Not required (fee paid in prior appeal)
- ☒ Charge to Deposit Account No. 50-1710. (One additional copy of this Notice is enclosed herewith)
5. ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-1710. A duplicate copy of this paper is enclosed.
6. ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant
Richard P. Bauer
Registration No. 31,588

PATENT ADMINISTRATOR
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